

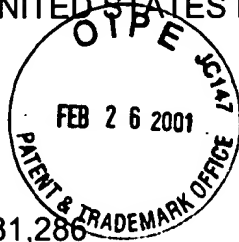
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GROLL et al

Serial Number: 09/381,286

Filed: December 7, 1999



Examiner: Jon P. Weber

Art Unit: 1651

Atty. Docket No. 100564-09039

1651
#8
Election
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For: PROCESS FOR THE PURIFICATION AND CRYSTALLIZATION OF PROTEASOME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patent
Washington, D.C. 20231

February 26, 2001

Sir:

In response to the Restriction Requirement mailed January 26, 2001, the applicants hereby elect with traverse Group IV, namely claims 15-20.

The restriction requirement is traversed because the subject matter of Groups 1-III, i.e. the purification of a eukaryotic proteasome itself and especially the crystals of the purified eukaryotic proteasome are necessary initial steps to obtain the crystallographic data, based on which proteasome-inhibitors then can be identified according to claims 15-20. That is, the subject matter of the different groups of claims identified by the Examiner are so intertwined that restriction is improper. The applicants also believe that the restriction requirement fails to comply with the PCT Rules, due to this common feature.

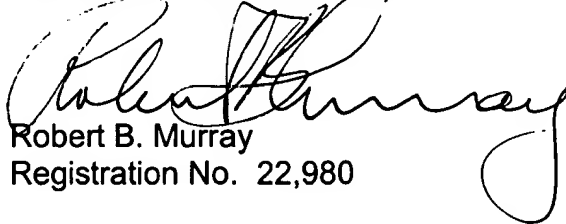
Furthermore, it is noted that the Examiner would be searching substantially the same subject matter areas for any of the restricted groups, and thus the burden on the Office would be substantially no greater in searching all of the claimed subject matter of this application, as opposed searching only the elected group. For these reasons, it is

believed that the restriction requirement is improper and should be withdrawn.

Early and favorable action on the merits of all claims is requested and is awaited.

In the event any fees are required, please charge our Deposit Account No. 01-2300.

Respectfully submitted,
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